

STEVEN BENITO RUSSO, SBN 104858
Chief of Enforcement
WILLIAM J. LENKEIT, SBN 90394
Commission Counsel
WILLIAM L. WILLIAMS, Jr. SBN 99581
Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
Facsimile: (916) 322-1932

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY SACRAMENTO

FAIR POLITICAL PRACTICES COMMISSION,	)	Case No.
a state agency,)	
	)	FPPC No.: 02/522
Plaintiff,)	
	)	NOTICE OF MOTION AND MOTION
v.	)	FOR PRELIMINARY INJUNCTION;
	)	SUPPORTING DECLARATION OF
AMERICAN CIVIL RIGHTS COALITION, INC.,	)	SUE STRAINE IN SUPPORT OF
WARD CONNERLY, and DOES 1-50,	)	MOTION FOR PRELIMINARY
	)	INJUNCTION; MEMORANDUM OF
Defendants.	)	POINTS AND AUTHORITIES IN
	)	SUPPORT OF MOTION FOR
	)	PRELIMINARY INJUNCTION
)	
	)	Date:
	)	Time:
	)	Dept:
	)	Judge:
	)	Date Action Filed:
	)	No Trial Date Set

TO DEFENDANTS AMERICAN CIVIL RIGHTS COALITION, INC. AND WARD
CONNERLY AND THEIR ATTORNEYS:

NOTICE IS HEREBY GIVEN that, on _____ at _____ or as soon thereafter
as the matter may be heard, in Department _____ of this court, located at 720 Ninth Street,
Sacramento, California 95814, plaintiff will, and hereby does, move the court for a preliminary

1 injunction enjoining and restraining the above-named defendants and their officers, agents, employees,
2 representatives and all persons acting in concert and participating with them, from engaging in or
3 performing, directly or indirectly, any and all of the following acts:

4 a. From violating and continuing to violate Government Code §§ 84101, 84200, 84202.5, and
5 84605, by refusing to file required campaign disclosure statements, as set forth in the Complaint filed
6 herewith, that disclose the true sources of the contributions defendant American Civil Rights Coalition,
7 Inc., has received with respect to its support of the Racial Privacy Initiative (Proposition 54);

8 Plaintiff will also move the court that the above-named defendants and their officers, agents,
9 employees, representatives and all persons acting in concert and participating with them, be required and
10 ordered to:

11 a. Immediately file each of the campaign disclosure documents, as set forth in the Complaint
12 filed herewith, that disclose the true sources of the contributions that defendant American
13 Civil Rights Coalition, Inc., has received with respect to its support of the Racial Privacy
14 Initiative (Proposition 54).

15 b. To timely file such other campaign statements and reports as may become due under the
16 Political Reform Act prior to the October 7, 2003 election, disclosing the true sources of the
17 contributions that defendant American Civil Rights Coalition, Inc., has received with respect
18 to the contributions defendant ACRC has made to the Racial Privacy Initiative Committee;

19 This motion will be made on the grounds that Government Code section 91003 authorizes
20 plaintiff Fair Political Practices Commission to seek injunctive relief for violations of the Political
21 Reform Act, that plaintiff will suffer irreparable injury, and the inadequacy of any other legal remedy as
22 set forth in Code of Civil Procedure section 526, subdivisions (a)(2) and (a)(4).

23 This motion will be based on this notice, on the declaration of Sue Straine (attached hereto), on
24 the memorandum of points and authorities served and filed with this motion, on the papers and records
25 on file, and on such oral and documentary evidence as may be presented at the hearing of the motion.

26 ///

27 ///

28 //

1 Dated: _____
2
3

FAIR POLITICAL PRACTICES COMMISSION

4 By: _____
5 William J. Lenkeit
6 Attorney for Plaintiff
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28